

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

2:09-CV-250 JCM (LRL)

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LEWIS E. GRAHAM II and
FLOWWORKS, INC.,

Defendants.

ORDER

Presently before the court are the report and recommendation of United States Magistrate Judge Lawrence R. Leavitt. (Doc. # 45).

Upon reviewing defendant Graham's status report (doc. #35) and updated status report (doc. #38), motion to extend time on behalf of all defendants (doc. # 36), addendum to the motion to dismiss (doc. #39), and plaintiff's opposition to the motion to dismiss and/or extend time (doc. #43), Judge Leavitt recommended that defendant Graham's motion to extend time on behalf of all defendants be denied and defendant Graham's request for dismissal of the case also be denied. In his report and recommendation, Judge Leavitt stated that defendant Graham failed to demonstrate good cause and noted that a corporate defendant must be represented by licenced counsel. Judge Leavitt further noted that the request for dismissal appears to be based on a willingness to enter upon settlement discussion. Accordingly, Judge Leavitt advised the parties that the court encourages both sides to engage in settlement discussions.

1 Local Rule IB 3-1 states that any party wishing to object to the ruling of the magistrate judge
2 shall file a specific objection within ten (10) days from the date of service of the magistrate judge's
3 ruling. To date, no objections have been filed.

4 Upon review of the magistrate judge's findings and recommendation (Doc. # 4) and there not
5 being any objections,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that United States Magistrate
7 Judge Lawrence R. Leavitt's report & recommendation (Doc. #45) are AFFIRMED in their entirety.
8 Defendant's request for dismissal (doc. # 35) and motion for extension of time (doc. # 36) are
9 denied.

10 DATED this 16th day of July, 2010.

11
12 
13 UNITED STATES DISTRICT JUDGE